

UNITED STATES OF AMERICA
BEFORE THE FOOD AND DRUG ADMINISTRATION
DEPARTMENT OF HEALTH AND HUMAN SERVICES

_____)	
In the Matter of)	
)	
ECUMED HEALTH GROUP)	ADMINISTRATIVE COMPLAINT
a corporation,)	<u>FOR CIVIL MONEY PENALTY</u>
)	
and)	
)	
AMADOR REYES,)	FDA Docket: 2004H-0322
JUAN C. CARRAI,)	
RICHARD W. STONE, M.D., and)	
ERLINDA E. ENRIQUEZ, M.D.,)	
individuals.)	
_____)	

Joint Motion to Amend Scheduling Order

Pursuant to 21 C.F.R. § 17.32, Complainant Center for Devices and Radiological Health and Respondents Juan C. Carrai, Richard W. Stone, M.D., and Erlinda E. Enriquez, M.D., respectfully move to amend the Scheduling Order entered by the Presiding Officer on November 22, 2004. The undersigned parties have entered into good-faith discussions into this matter and require an additional thirty days to complete discovery. Therefore, the undersigned parties request that the following amended scheduling order be adopted and govern the future course of this proceeding:


1. Discovery will be completed by March 25, 2005.
2. Dispositive motions will be filed by April 22, 2005.
3. Joint stipulations will be filed and witness lists will be exchanged by May 20, 2005.

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4. Documentary evidence and written direct testimony will be filed by June 17, 2005.
5. Motions to strike will be filed by July 1, 2005.
6. Replies to motions to strike will be filed by July 29, 2005.
7. Numbered proposed findings of fact with record references, citations, and requests for cross-examination of opposing parties' witnesses with a reasonable estimate of the time required for such examination of each witness, will be filed by August 15, 2005.
8. Correspondingly numbered critiques of opposing parties' findings of fact will be filed by September 9, 2005.
9. The hearing for purposes of cross-examination will commence on October 7, 2005.

Respectfully Submitted,



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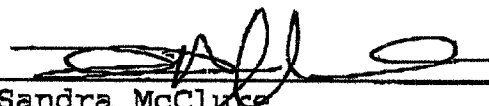
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CERTIFICATE OF SERVICE


I certify under the penalty of perjury that on this 18th day of February, 2005, I served a copy of this Joint Motion to Amend Scheduling Order via facsimile and overnight mail on the following:

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Order

On February 18, 2005, Complainant Center for Devices and Radiological Health and Respondents Juan C. Carrai, Richard W. Stone, M.D., and Erlinda E. Enriquez, M.D., submitted a Joint Motion to Amend the Scheduling Order. The amended schedule, which will govern the future procedural course of this proceeding, is adopted as set forth below:

1. Discovery will be completed by March 25, 2005.
2. Dispositive motions will be filed by April 22, 2005.
3. Joint stipulations will be filed and witness lists will be exchanged by May 20, 2005.
4. Documentary evidence and written direct testimony will be filed by June 17, 2005.
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Dated this _____ day of February, 2005.

Daniel J. Davidson
Administrative Law Judge
U.S. Food and Drug Administration
Room 9-57, HF-3
5600 Fishers Lane
Rockville, MD 20857